



**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
JAMES KELP BROWN,
Defendant.

Case No. 23-MJ-4399

ORDER OF DETENTION

[Fed. R. Crim. P. 32.1(a)(6);
18 U.S.C. §§ 3143(a)(1), 3148(b)]

I.

On August 28, 2023, Defendant James Kelp Brown, who was hospitalized, made his initial appearance in this district – by consenting to appear by telephone and waiving personal appearance - following his arrest on the petition for revocation of supervised release and warrant for arrest issued in the Western District of Texas on June 29, 2023. Deputy Federal Public Defender Ijeoma Eke was appointed to represent Defendant. The government was represented by

Assistant U.S. Attorney Alexandra Kelly. Defendant did not seek pretrial release. Pretrial Services submitted a report recommending that Defendant be detained.

II.

Pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 3143(a) following Defendant's arrest for alleged violation(s) of the terms of Defendant's ☐ probation / ☒ supervised release,

The Court finds that :

A. ☒ Defendant has not carried his burden of establishing by clear and convincing evidence that Defendant will appear for further proceedings as required if released [18 U.S.C. § 3142(b-c)]. This finding is based on:

☒ allegations in the petition: while on supervised release for a 2013 conviction for possession with intent to distribute methamphetamine, Defendant was charged with driving under the influence, failed to report to his Probation Officer after his release from custody on this charge, failed to report a change of residence and engaged in the excessive use of alcohol, in violation of the conditions of supervised release. At this time, Defendant was also on supervised release, under the same terms and conditions, for a 2012 conviction for bank fraud.

☒ unstable residential history – defendant has failed to report a change in residence

☒ outstanding arrest warrant, issued on August 14, 2023 in Texas, for a homicide charge

☒ use of aliases

☒ unknown background information and unknown bail resources

B. ☒ Defendant has not carried his burden of establishing by clear and convincing evidence that Defendant will not endanger the safety of any

1 other person or the community if released [18 U.S.C. § 3142(b-c)]. This
2 finding is based on:

- 3 ☒ criminal history includes felony convictions for evading arrest,
4 narcotics related offenses and bank fraud, and misdemeanor convictions
5 for assault and driving under the influence
6 ☒ allegations in the petition (see above)
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8 III.

9 IT IS THEREFORE ORDERED that the defendant is remanded to the custody
10 of the U.S. Marshal to be removed to the Western District of Texas.

11 The Court directs government counsel to follow up with government counsel
12 in the charging district regarding Defendant's next scheduled date, and provide this
13 information to DFPD Eke in order to monitor the status of defendant's
14 transportation to, and arrival in, the charging district for his next appearance.
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16 Dated: August 28, 2023
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18 /s/
19 ALKA SAGAR
20 UNITED STATES MAGISTRATE JUDGE
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